

A CONGRESS OF GOVERNORS

TO EASE THE FRICTION
BETWEEN STATES' RIGHTS
AND FEDERAL CONTROL



BY WILLIAM GEORGE JORDAN.
THE atmosphere of political thought in the nation to-day is permeated with restless rebellion of protest against the growing centralization at Washington. Rumblings of revolt in the public press are becoming louder and more unmistakable, and political leaders are furnishing the dingy armor of States' rights in preparation for battle. The usurping by the government of the lawmaking power of the States is declared to be a forsaking of the great principle of democracy, the rock upon which the fathers founded the republic.

The Federal government, following the spirit of the age, is itself becoming a trust—a great governing trust, crowding out and threatening openly still further to crowd out the States, the small jobbers in legislation. As the wealth of the nation is concentrated in the hands of the few, so is the guidance of the destinies of the rich people becoming vested in firm, tense fingers of a small legislative syndicate. The nation soon will longer a solid, impregnable pyramid standing on the broad, firm, safe of the united action of a united people, but a pyramid dangerously balanced on its apex—the uncertain wisdom of a few.

There is a growing realization percolating through the varied strata of peoples down to the man in the street that the new centralization is a menace. It is a menace. It is not in harmony with the spirit of the Constitution, its very essence, though it may be in no technical discord with its letter. Had the invasion of the self-

governing rights of the States been manifested in evil laws forced into being through a dominated Congress, the whole country would have risen to meet the issue at once; but it has come with needed legislation, wise provisions and vital issues, and because of this guise it is all the more dangerous because more insidious. The government of the founders was fraternal; the new government is paternal;

the dictates of any centralized administration inspired with the absolute wisdom of omniscience and executed with the relentless certainty of omnipotence, with every microscope phase of every act consecrated to the best interest of the good of the whole country. It would still be a menace. It is establishing a dangerous precedent—it is placing the self-governing power of the State in pawn with the federal government, with the chances of the ticket becoming lost or the interest rate being raised or some other technically occurring that might make redemption difficult or even impossible.

The mantle of infallibility of one administration may not drop serenely on the shoulders of its successor—wisdome, statesmanship, are not always hereditary in office.

This centralization has not been the work of one administration. It has been evolving for years. During the present term it has merely assumed a more vivid, picturesque, startling phase, suddenly due to two administrations, but this centralization is natural and under past conditions inevitable. If there is to-day federal usurpation of States' rights, it is so merely because the States' rights have largely abrogated their rights through

disuse—through lack of proper exercise. The States themselves have been blamed. Unless they rouse themselves to immediate action the condition may become irremediable, and America will then be but an entity under the false guise of a democracy.

Reference to the constitution will show the privileges the people have been, perhaps unconsciously, surrendering. The constitution clearly defines the powers of the federal government in all its branches. The ninth amendment says:—"The enumeration in the constitution of certain rights shall not be construed to deny or disapprove others retained by the people." Powers not delegated to the United States by the constitution nor prohibited by it to the States are reserved to the States respectively or to the people.

Here was the States' warrant for action. The corruption and mismanagement had grown bigger, graft flourished, arrogant domination of trusts became more reckless. Illegitimate aggregations of wealth toward higher interests, and the buying of legislators grew more flagrant, patrioticism and loyalty were continuously sacrificed on the alter of politics—these and a dozen similar evils, sapping the life of the Republic, were not met by the States when they had the opportunity in their control.

A few States really did show vitality and virility and earnestly sought to meet the evils, falling to a degree in their efforts by the largeness of their task and the lack of co-operation from their sister States. The situation grew desperate, then came a federal administration with new courage and resoluteness, and sought seriously to begin to solve the problem of saving the situation.

If the administration went beyond its rights, if it for a time trespassed on

little results. The States as a whole did little or nothing. Then the government passed the anti-trust law, the thin edge of the wedge of broadening legislation.

The iniquitous rebates of the railroads, that forced thousands of small dealers into bankruptcy and restrained commerce and the natural development of individual interests, continued for decades practically, if not actually, untouched by the hand of State law. The States could have met the evil, partially at least, but they did nothing. Then the government passed the rate bill.

Grasping capital, holding nothing sacred, not even the food of babies, carried adulteration and food poisoning to a point where it seemed that the only way to live was to give up eating. The newspapers exposed it, the magazines exploited it, scientists lectured on it, societies were formed to fight it, but the States waited—for the Federal government to pass the pure-food law.

The President and the Secretary of State have declared repeatedly that the States are not able to unite in the making of laws on questions of national importance and that therefore the power to make these laws must become vested in the Federal government.

With all due deference, however, may it not be asked whether the failure of the States to make uniform legislation has not been due to the lack of any method of the States to get together in conference as States? Were this provided, wherein is it impossible for the States themselves to handle this legislation? That there are difficulties is self-evident; that these difficulties are insurmountable is open to question. Should not any plan that has within it a germ of hope be tried, if the trying imply no danger

to the fullest safety of the Union, before we hopelessly accept as a finality the imputation that the States are no longer fit for self-government? See-

retary Root not only says that "these things the States no longer do adequately," but also that "they (the States) are no longer capable of adequately performing." The honorable secretary conveys the impotence of the States in the present and future tense.

There does seem to be one simple, practicable method yet untried which the writer desires here to propose—one that is in such perfect harmony with the letter and the spirit of the Constitution that it would require no constitutional amendment; one that might not even require (for an initial trial, at least) legislative action in any State; one that upsets no established order in the conduct of the nation; one that would bring the States into closer unity and harmony without lessening in any degree loyalty and allegiance to the Federal government—in short, a plan that if worked out successfully in practice would put the rights of the States on a firm, recognized basis and make centralization forever an impossibility in the American republic.

This brief statement is addressed to the Governors of the States, in an august, five Governors, representing the law-making Legislatures behind them, become an inherent factor for good in the world.

This brief statement is addressed to the Governors of the States, in an august, five Governors, representing the law-making Legislatures behind them, become an inherent factor for good in the world.

In the name of the State Legislatures of their States, the Governor of their States, for the last time, in their selection of their State's representatives in the House of Representatives, to represent their States, will send their delegations and with them, they may as well as written to the rest of the entire country, the paramount importance of the paper, but in fact they will not reach finality of value until a store about mid-year. The Government published, but ever, is elected. You must exert responsible care in the matter. His name is John C. C. with love.

The House of Governors.
It is proposed that the Governors of the forty-five States meet annually for a session of two to three weeks to discuss, consult and confer on vital ques-